

DETAILED ACTION

1. This action is in response to the amendment filed October 1, 2009.
2. Claims 1, 4, 6, 10, and 15 have been amended.
3. Claims 1-18 have been examined and are pending with this action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. The previous rejection of Claim 1 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention and in particular, for insufficient antecedent basis, has been withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Domnitz (US 6,912,398) in view of Goldstein et al. (US 7,174,363).

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INDEPENDENT:

As per **claim 1**, Domnitz teaches a method of a wireless communication device for managing dynamic containers comprising:

detecting a current time of the wireless communication device (see col.4, lines 47-54: “determines the presence of an individual through the use of an identification device..., and based on individual’s identity and location and/or time”);

selecting, a particular channel among a plurality of channels based on the current time of the wireless communication device (see col.4, lines 47-54: “and pushes the information down through the available information channels... the system selects information related to the location or time and pushes the information” and col.6, line 67- col.7, line 3: “The advertising system 7 will then select appropriate information and transmit that information to the individual 1 via predetermined information channels”); and

displaying a unit of content of the particular channel via the dynamic container if an update time of the particular channel corresponds to the current time of the wireless communication device (see col.8, lines 51-55: “The information is then transmitted via a hardwired link to a display or audible device... ”; and col.10, lines 41-49: “channel being watched is being watched when an advertisement is due to run”).

Domnitz does not explicitly teach that the channel is associated with a dynamic container of the wireless communication device.

Goldstein teaches a channel is associated with a dynamic container of the wireless communication device (see col.13, lines 9-27).

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It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Domnitz in view of Goldstein so that a channel is associated with a dynamic container of the wireless communication device. One would be motivated to do so because Domnitz teaches "A computer uses the ID and location information to select, from a list of information providers, those information providers which provide information content identifiable or correlated to a location and/or time").

As per **claim 6**, Domnitz teaches a method of a wireless communication device for managing dynamic containers comprising:

detecting a current location of the wireless communication device (see col.4, lines 47-54: "determines the presence of an individual thorough the use of an identification device..., and based on individual's identity and location and/or time");

selecting a particular channel among a plurality of channels based on the current location of the wireless communication device (see col.4, lines 47-54: "and pushes the information down through the available information channels... the system selects information related to the location or time and pushes the information" and col.6, line 67- col.7, line 3: "The advertising system 7 will then select appropriate information and transmit that information to the individual 1 via predetermined information channels"); and

displaying a unit of content of the particular channel via the dynamic container if an associated location of the particular channel corresponds to the current location of

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the wireless communication device (see col.8, lines 51-55: "The information is then transmitted via a hardwired link to a display or audible device... "; col.10, lines 15-20: "dynamically updates the area to which information applies").

Domnitz does not explicitly teach that the channel is associated with a dynamic container of the wireless communication device.

Goldstein teaches a channel is associated with a dynamic container of the wireless communication device (see col.13, lines 9-27).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Domnitz in view of Goldstein so that a channel is associated with a dynamic container of the wireless communication device. One would be motivated to do so because Domnitz teaches "A computer uses the ID and location information to select, from a list of information providers, those information providers which provide information content identifiable or correlated to a location and/or time").

As per **claim 10**, Domnitz teaches a wireless communication device for managing dynamic containers comprising:

a timing circuit configured to detect a current time of the wireless communication device (see col.4, lines 47-54: "determines the presence of an individual thorough the use of an identification device..., and based on individual's identity and location and/or time");

a processor coupled to the timing circuit, configured to select a particular channel, among a plurality of channels based on the current time of the wireless communication device (see col.4, lines 47-54: “and pushes the information down through the available information channels... the system selects information related to the location or time and pushes the information” and col.6, line 67-col.7, line 3: “The advertising system 7 will then select appropriate information and transmit that information to the individual 1 via predetermined information channels”); and

a display, coupled to the processor, configured to provide a unit of content of the particular channel via the dynamic container if an update time of the particular channel corresponds to the current time of the wireless communication device (see col.8, lines 51-55: “The information is then transmitted via a hardwired link to a display or audible device... ”; and col.10, lines 41-49: “channel being watched is being watched when an advertisement is due to run”).

Domnitz does not explicitly teach that the channel is associated with a dynamic container of the wireless communication device.

Goldstein teaches a channel is associated with a dynamic container of the wireless communication device (see col.13, lines 9-27).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Domnitz in view of Goldstein so that a channel is associated with a dynamic container of the wireless communication device. One would be motivated to do so because Domnitz teaches “A computer uses the ID and location information to select, from a list of information providers, those information

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providers which provide information content identifiable or correlated to a location and/or time").

As per **claim 15**, Domnitz teaches a wireless communication device for managing dynamic containers comprising:

a location circuit configured to detect a current location of the wireless communication device (see col.4, lines 47-54: "determines the presence of an individual thorough the use of an identification device..., and based on individual's identity and location and/or time");

a processor coupled to the location circuit, configured to select a particular channel, among a plurality of channels based on the current location of the wireless communication device (see col.4, lines 47-54: "and pushes the information down through the available information channels... the system selects information related to the location or time and pushes the information" and col.6, line 67-col.7, line 3: "The advertising system 7 will then select appropriate information and transmit that information to the individual 1 via predetermined information channels"); and

a display, coupled to the processor, configured to provide a unit of content of the particular channel via the dynamic container if an associated location of the particular channel corresponds to the current location of the wireless communication device (see col.8, lines 51-55: "The information is then transmitted via a hardwired link to a display or audible device... "; col.10, lines 15-20: "dynamically updates the area to which information applies").

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Domnitz does not explicitly teach that the channel is associated with a dynamic container of the wireless communication device.

Goldstein teaches a channel is associated with a dynamic container of the wireless communication device (see col.13, lines 9-27).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the system of Domnitz in view of Goldstein so that a channel is associated with a dynamic container of the wireless communication device. One would be motivated to do so because Domnitz teaches "A computer uses the ID and location information to select, from a list of information providers, those information providers which provide information content identifiable or correlated to a location and/or time").

DEPENDENT:

As per **claims 2 and 11**, which respectively depend on claims 1 and 10, Domnitz further teaches wherein the update time corresponds to a time period when content of the particular channel is recurringly updated (see col.10, lines 3-6 & 46-49).

As per **claims 3 and 12**, which respectively depend on claims 1 and 10, Domnitz teaches further comprising determining the update time by monitoring user interaction with the at least one channel during a predetermined time period (see col.6, lines 63-67 and col.10, lines 46-49).

As per **claims 4 and 13**, which respectively depend on claims 1 and 10, Domnitz teaches further comprising determining the update time by receiving the update time

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from a user of the wireless communication device via a user interface (see col.10, lines 3-6).

As per **claims 5 and 14**, which respectively depend on claims 1 and 10, Domnitz teaches wherein comprising obtaining the unit of content of the particular channel before the update time of the particular channel via a transceiver (see col.10, lines 51-55).

As per **claims 7 and 16**, which respectively depend on claims 6 and 15, Domnitz further teaches wherein the associated location corresponds to a location of a source associated with the particular channel (see col.10, lines 46-49).

As per **claims 8 and 17**, which respectively depend on claims 6 and 15, Domnitz teaches further comprising determining the associated location by receiving the associated location from a source associated with the particular location via a transceiver (see col.10, lines 3-6).

As per **claims 9 and 18**, which respectively depend on claims 6 and 15, Domnitz teaches further comprising obtaining the unit of content of the particular channel after the particular channel is selected via a transceiver (see col.10, lines 47-49).

Response to Arguments

6. Applicant's arguments filed September 15, 2009 have been fully considered but they are not persuasive.

In response to the argument that Domnitz does not describe or suggest selecting a particular channel based on the current time of the wireless communication device

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(see Remarks/Arguments, page 5 of 8), it is clear and evident that such assertion is erroneous. Although the examiner agrees with the applicant(s) statement (see Remarks/Arguments, page 5 of 8) that Domnitz teaches information selection based on time, Domnitz also adds that this information will be transmitted “to the individual 1 via **predetermined** information channels” (emphasis added). Clearly, one of ordinary skill in the art will concur that the channel selection is also based on time because the selection of channel and the selection of information is dependent on each other. Explicit quotations have been included in the rejection above.

In response to the argument that Domnitz does not describe or suggest displaying content if an update time of the particular channel corresponds to the current time of the wireless communication device, clearly Domnitz teaches displaying content of the wireless communication device based on time. Domnitz further teaches delivery through “traditional” push means (see col.7, lines 24-25). One of ordinary skill in the art will concur “traditional” pushing technology inherently employs the means of transmitting content for rendering based on comparison of update time and current time. Therefore, since Domnitz teaches selecting, transmitting and displaying information based on time (selecting and transmitting a particular channel based on time), this limitation is explicitly taught.

Conclusion

7. For the reasons above, claims 1-18 have been rejected and remain pending.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL Y. WON whose telephone number is (571)272-3993. The examiner can normally be reached on M-Th: 9AM-7PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Won/

Primary Examiner

AU2455

October 23, 2009